



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

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December 27, 2012

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TO: SACHI A. HAMAI
Executive Officer
Board of Supervisors

Attention: Agenda Preparation

FROM: ROGER H. GRANBO *RHG*
Assistant County Counsel
Law Enforcement Services Division

RE: **Maria Sandoval v. County of Los Angeles, et al.**
United States District Court Case No. CV 09-3428

Attached is the Agenda entry for the Los Angeles County Contract Cities Liability Trust Fund Claims Board's recommendation in the above-referenced matter. Also attached are the Case Summary and the Summary Corrective Action Plan.

It is requested that this recommendation, the Case Summary, and the Summary Corrective Action Plan be placed on the Board of Supervisors' agenda of January 15, 2013.

RHG:scr

Attachments

Board Agenda

MISCELLANEOUS COMMUNICATIONS

Los Angeles County Contract Cities Liability Trust Fund Claims Board's recommendation: Authorize settlement of the matter entitled Maria Sandoval vs. County of Los Angeles, et al., United States District Court Case number CV 09-3428 in the amount of \$435,000, and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Sheriff's Department Contract Cities Trust Fund's budget.

This lawsuit concerns allegations of federal civil rights violations and negligence by Sheriff's Deputies.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Maria Sandoval v. County of Los Angeles et al.
CASE NUMBER	CV 09-3428 PSG(SSx)
COURT	United States District Court
DATE FILED	May 14, 2009
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 435,000
ATTORNEY FOR PLAINTIFF	Dale Galipo, Esq.
COUNTY COUNSEL ATTORNEY	Jennifer A.D. Lehman, Office of the County Counsel Dennis Gonzales, Lawrence Beach Allen & Choi
NATURE OF CASE	<p>This is a recommendation to settle for \$435,000 the lawsuit filed by Maria Sandoval arising out of the death of her son, Victor Sandoval, after he was arrested by Sheriff's Deputies.</p> <p>The Deputies contend that minimal force and restraints were used on Mr. Sandoval and that his death was caused by a pre-existing condition.</p> <p>However, due to the risks and uncertainties of litigation, a full and final settlement of the case in the</p>

amount of \$435,000 is
recommended.

PAID ATTORNEY FEES, TO DATE	\$	210,178
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PAID COSTS, TO DATE	\$	45,075
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Case Name: Maria Sandoval v. County of Los Angeles, et al.



Summary Corrective Action Plan

The intent of this form is to assist departments in writing a corrective action plan summary for attachment to the settlement documents developed for the Board of Supervisors and/or the County of Los Angeles Claims Board. The summary should be a specific overview of the claims/lawsuits' identified root causes and corrective actions (status, time frame, and responsible party). This summary does not replace the Corrective Action Plan form. If there is a question related to confidentiality, please consult County Counsel.

Date of incident/event:	Monday, April 16, 2007; approximately 8:34 p.m.
Briefly provide a description of the incident/event:	<p><u>Maria Sandoval v. County of Los Angeles, et al.</u> Summary Corrective Action Plan No. 2012-038</p> <p>On Monday, April 16, 2007, at approximately 8:34 p.m., four Los Angeles County deputy sheriffs responded to a radio call for service of a "possibly violently insane person." The deputies arrived to find a man, Victor Sandoval, yelling, screaming, and striking vehicles. The man then tried to enter the front door of a nearby residence.</p> <p>The man refused to comply with the deputies' instructions and became increasingly aggressive and uncooperative. In order to gain the man's compliance, one deputy sheriff deployed a short burst of Oleoresin Capsicum spray and the man fell to the ground. After a brief struggle, the deputies were able to handcuff the man. Since the man was still kicking at the deputies, a restraint was placed around the man's ankles.</p> <p>The deputies summoned representatives from American Medical Response who monitored the man's condition until relieved by paramedics from the Los Angeles County Fire Department. The man was subsequently transported to a local hospital where he was pronounced dead.</p>

1. Briefly describe the root cause(s) of the claim/lawsuit:

In her lawsuit, the plaintiff (mother of the decedent) alleged federal civil rights violations and negligence on the part of representatives of the Los Angeles County Sheriff's Department.

2. Briefly describe recommended corrective actions:
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

The Los Angeles County Sheriff's Department had relevant policies and procedures/protocols in effect at the time of this incident.

The Los Angeles County Sheriff's Department's training curriculum addresses the circumstances which occurred in this incident.

County of Los Angeles
Summary Corrective Action Plan

The facts in this case were presented to the Los Angeles County Sheriff's Department's Executive Force Review Committee. The committee concluded that the level of physical force used by the deputy sheriffs was reasonable, necessary, and in compliance with Department policy. Consequently, no corrective action measures are recommended or contemplated.

3. State if the corrective actions are applicable to only your department or other County departments: (If unsure, please contact the Chief Executive Office Risk Management Branch for assistance).

- ☐ Potentially has Countywide implications.
- ☐ Potentially has an implication to other departments (i.e., all human services, all safety departments, or one or more other departments).
- ☒ Does not appear to have Countywide or other department(s) implications.

Name: (Risk Management Coordinator)

Shaun J. Mathers, Captain
Risk Management Bureau

Signature:



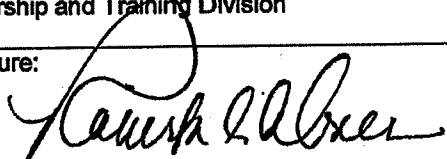
Date:

11-16-12

Name: (Department Head)

Roberta A. Abner, Chief
Leadership and Training Division

Signature:



Date:

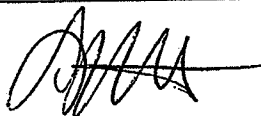
11-19-12

Chief Executive Office Risk Management Branch

Name:

LEO COSTANTINO

Signature:



Date:

12/10/2012

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